



IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

ROBERT LEE SMITH, #26722,)	Civil Action No. 7:05CV 00348
Petitioner,)	Criminal Action No. 1:03CR00093
)	
)	ORDER
)	
UNITED STATES,)	By: James P. Jones
Respondent.)	Chief United States District Judge

In accordance with the accompanying Opinion, it is hereby **ORDERED** that the petitioner's Motion to Vacate, Set Aside, or Correct Sentence, pursuant to 28 U.S.C. § 2255 shall be and is hereby **FILED** and **DISMISSED** and this case is stricken from the active docket of this court.

The Clerk is directed to send certified copies of this Order and the accompanying Opinion to petitioner and to counsel for the respondent, if known.

ENTER: June 8, 2005.



Chief United States District Judge